

THE STATE OF TEXAS §

COUNTY OF CAMERON §

BE IT REMEMBERED on the 26th day of OCTOBER, 1993, there was conducted a REGULAR Session of the Honorable Commissioners' Court of Cameron County, Texas, at the Courthouse thereof, in the City of Brownsville, Texas, for the purpose of transacting any and all business that may lawfully be brought before the same.

THE COURT MET AT:

1:30 P. M.

PRESENT:

ANTONIO O. GARZA, JR.
COUNTY JUDGE

LUCINO ROSENBAUM, JR
COMMISSIONER, PRECINCT NO. 1

CARLOS H. CASCOS
COMMISSIONER, PRECINCT NO. 2

JAMES R. MATZ
COMMISSIONER, PRECINCT NO. 3

NATIVIDAD VALENCIA
COMMISSIONER, PRECINCT NO. 4

INELDA T. GARCIA, Deputy
COUNTY CLERK

ABSENT:

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The meeting was called to order by Judge Antonio O. Garza, Jr. He then asked Ms. Dylbia Jefferies, County Counsel, to lead the Court and the audience in reciting the Pledge of Allegiance to the Flag.

The Court considered the following matters as posted and filed for Record in the Office of the County Clerk on October 22, 1993, at 3:47 P. M.

(1) **APPROVAL OF COUNTY CLAIMS**

Commissioner Rosenbaum moved that the County Claims be approved as presented, and on the recommendation of the County Auditor.

The motion was seconded by Commissioner Cascos and carried the following vote:

AYE: Commissioners Rosenbaum, Matz and Valencia

NAY: None

ABSTAIN: Judge Garza as to the following claims:
E. de la Garza, Inc.:
Warrant No. 86785 - \$7,042.22,
Warrant No. 86786 - \$4,898.52,
Warrant No. 86787 - \$5,481.32,
Warrant No. 86788 - \$8,540.10, and
Brownsville Community Health Center
Warrant No. 86809 - \$ 27.00; and

Commissioner Cascos as to the claim of
Landair Travels, Inc.
Warrant No. 86903 - \$1,814.00, and
Waters Implement Co., Inc.
Warrant No. 87226 - \$ 480.17.

The Affidavits are as follows:

(2) **IN THE MATTER OF BUDGET AMENDMENTS
AND/OR SALARY SCHEDULES (NO ACTION
TAKEN)**

The Budget Officer noted that there were no Budget Amendments and/or Salary Schedules for approval at this time.

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(3) **APPROVAL OF MINUTES OF OCTOBER 19, 1993**

Upon motion by Commissioner Matz, seconded by Commissioner Valencia and carried unanimously, the Minutes of the Regular Meeting held October 19, 1993, at 1:30 P. M. were approved.

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(4) **AUTHORIZATION OF REQUEST BY HARLINGEN
PUBLIC LIBRARY TO WITHDRAW FROM THE
CAMERON COUNTY LIBRARY SYSTEM**

At this time, Mr. Maurice Tsai, Library Director, stated that the Harlingen City Commission approved the withdrawal of the Harlingen Library from the Cameron County Library System, effective October 1, 1993, but that the by-laws required that a six (6) month prior notice be given, and he requested said waiver be granted.

Commissioner Cascos questioned the by-law requirements for the "six-month prior notice" and asked whether the City of Harlingen had complied with the requirement to publish the Notices in the newspaper.

Mr. Tsai responded that the Notices had been published for six (6) weeks and that no comments had been received.

Upon motion by Commissioner Matz, seconded by Commissioner Cascos and carried unanimously, the Harlingen Public Library withdrawal from the Cameron County Library System and the support of the waiver of the six (6) month period were approved.

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(5) **IN THE MATTER OF FINAL INVOICE FROM THE
REVENUE MARKETS, INC. (TABLED)**

Mr. Joe Galvan, Bridge Systems Director, explained that the invoice in the amount of \$26,626.40 from The Revenue Market, Inc., concerned work previously done to the Electronic Toll Collection System at Gateway International Bridge and the Los Indios Free Trade Bridge.

He explained that Mr. Jack Brown, Project Engineer, had held the payment to the final invoice until he was satisfied with the operation of the equipment, and added that he was also satisfied and recommended payment.

Mr. Galvan stated that he was not aware of the outstanding invoice and added that the amount of \$26,626.40 was not budgeted and he suggested that the amount of \$5,500.00 for the work done at Gateway International Bridge be allocated from the Gateway Budget, and the amount of \$21,123.00 be allocated from the Free Trade Bridge Construction Fund.

There was some discussion concerning the outstanding amount not being in the Budget and whether the work was satisfactorily completed and the suggestion was made to table the matter for one (1) week.

Upon motion by Commissioner Rosenbaum, seconded by Commissioner Valencia and carried unanimously, this Item was TABLED for one (1) week.

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(6) **IN THE MATTER TO APPLY FOR FEDERAL GRANT FOR MORE DEPUTIES (TABLED)**

Upon motion by Commissioner Cascos, seconded by Commissioner Matz and carried unanimously, this Item was TABLED for one (1) week.

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(7) **AUTHORIZATION TO AWARD BIDS FOR CAMERON COUNTY JUVENILE DETENTION FACILITY**

Mr. Chuck Croslin, Architect with the Firm of Cox-Croslin, Austin, Texas, recommended that Scoggins Construction, Harlingen, Texas, be awarded the Contract for the Cameron County Juvenile Facility Project in the amount of \$2,942,194.00. He recommended several alternate changes and added that Change Order No. 1 would be issued prior to signing the Contract.

Commissioner Cascos moved that Scoggins Construction, Harlingen, Texas, be awarded the Contract for the Cameron County Juvenile Detention Facility, in the amount of \$2,942,194.00, along terms as outlined by the Consulting Architect, and as reviewed by the Juvenile Detention Center Director and the Budget Officer.

The motion was seconded by Commissioner Valencia and carried unanimously.

At this time, Mr. Amador Rodriguez, Chief Juvenile Probation Officer, on behalf of the Chairman of the Juvenile Board, thanked the Court for their support and for the assistance provided by the Budget Officer.

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(8) **AUTHORIZATION FOR THE TAX ASSESSOR COLLECTOR TO EXTEND THE TAX DISCOUNT AN ADDITIONAL TWO (2) WEEKS**

Mr. Felix Munoz, First Assistant and Chief Deputy County Tax Assessor-Collector, explained that the printers in San Antonio encountered difficulties in reading the tapes that were sent on October 4, 1993, and were only able to mail out approximately eighty-five percent (85%) of the Tax Statements by October 15, 1993. He explained that the remaining Tax Statements were mailed after October 21, 1993 and the Tax Assessor Collector's Office requested that the "tax discounts" be extended an additional two (2) weeks.

Commissioner Rosenbaum moved that the Tax Assessor Collector be authorized to extend the "tax discounts" an additional two (2) weeks.

The motion was seconded by Commissioner Matz and carried unanimously.

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"CONSENT" AGENDA ITEMS

THE FOLLOWING ITEMS ARE RECOMMENDED FOR "CONSENT" AND ARE EITHER RECOMMENDED BY THE DEPARTMENT HEAD, WITHIN BUDGET OR AWARDED TO THE LOW BIDDER:

Upon motion by Commissioner Rosenbaum, seconded by Commissioner Valencia and carried unanimously, the "Consent" Agenda Item No. 9 through Item No. 18 were approved as recommended:

(9) **APPROVAL OF CORRECTION DEED ON A CERTAIN TRACT OF LAND TO BE CONVEYED BY CAMERON COUNTY TO THE STATE OF TEXAS**

The Correction Deed follows:

- (10) APPROVAL OF THE TEXAS DEPARTMENT OF HEALTH **(TDH)** DOCUMENT NO. C4000019, CHANGE NO. 4; ATTENTION NO. 4A-AMENDMENT FOR MATERNAL AND CHILD HEALTH **(MCH)**, AND FAMILY HEALTH SERVICES **(FHS)** FOR LOW INCOME WOMEN AND CHILDREN AND ATTENTION NO. 6A - AMENDMENT FOR COMMUNITY AND RURAL HEALTH **(CRH)** TO PROVIDE PUBLIC HEALTH **(PH)** SERVICES INCLUDING PERSONAL, ENVIRONMENTAL AND IMMUNIZATIONS SERVICES

The Amendment follows:

- (11) AUTHORIZATION FOR CHANGE ORDER NO. 2 FOR CONTRACT NO. 1, ANDY BOWIE PARK DEVELOPMENT

The Change Order follows:

- (12) EXECUTION OF RESOLUTION PERTAINING TO GRANT APPLICATION TO THE TEXAS FOREST SERVICE TO SECURE GRANT ASSISTANCE FOR TREE PLANTING PROGRAM

The Resolution follows:

- (13) AUTHORIZATION TO ALLOW THE TOLL BRIDGE SYSTEM DIRECTOR TO PURCHASE ONE (1) CELLULAR PHONE

- (14) REQUEST FOR FINAL APPROVAL

- a) **PRECINCT NO. 4:**
Luz del Cielo Subdivision - being 20.63 acres, a Re-Subdivision of Lots 34, 35, 36 and 37 of Luz del Cielo Subdivision; and
- b) **PRECINCT NO. 3:**
Paredes Norte Subdivision - being a 21.51 acre subdivision comprised of the North 11.51 acres out of Block 68, and the ten (10) acres of Block 69, Fresno Land and Irrigation Company Subdivision.

- (15) REQUEST FOR PRELIMINARY AND FINAL APPROVAL

- a) **PRECINCT NO. 3:**
Perez Subdivision - being 5.00 acres, comprised of all of Lot 19, Belcher Estates, out of San Benito L and W Company Subdivision, Share 24, Concepcion De Carricitos Grant.

- (16) AUTHORIZATION TO AWARD ANNUAL BIDS FOR THE FOLLOWING

- a) **Typewriter Maintenance**
b) **Pest Control**
c) **Computer Supplies - Printer Ribbons**
d) **Recycled Paper and Envelopes**
e) **Road Materials - Surfacing Materials**
● **Rebid and Remove Bid Bond Request**
f) **Road Materials - Emulsions Oils**
● **Rebid and Remove Bid Bond Request**

The awards follow:

- (17) AUTHORIZATION TO AWARD BIDS FOR BULLET PROOF VESTS FOR SHERIFF'S DEPARTMENT

REGIONAL UNIFORM, Plano, Texas

34 Bullet-proof Vests - \$11,046.60

- (18) AUTHORIZATION TO TRAVEL/OR APPROVAL OF TRAVEL EXPENSES, SUBJECT TO AVAILABLE FUNDS IN BUDGETS

The Travel Items follow:

ITEM NO. 9 -

**APPROVAL OF CORRECTION DEED ON A CERTAIN
TRACT OF LAND TO BE CONVEYED BY CAMERON
COUNTY TO THE STATE OF TEXAS**

The Correction Deed follows:

ITEM NO. 10 -

APPROVAL OF THE TEXAS DEPARTMENT OF HEALTH (TDH) DOCUMENT NO. C4000019, CHANGE NO. 4, ATTENTION NO. 4A-AMENDMENT FOR MATERNAL AND CHILD HEALTH (MCH), FAMILY HEALTH SERVICES (FHS) FOR LOW INCOME WOMEN AND CHILDREN AND ATTENTION NO. 6A - AMENDMENT FOR COMMUNITY AND RURAL HEALTH (CRH) TO PROVIDE PUBLIC HEALTH (PH) SERVICES INCLUDING PERSONAL, ENVIRONMENTAL AND IMMUNIZATIONS SERVICES

The Amendment follows:

ITEM NO. 11 -

**AUTHORIZATION FOR CHANGE ORDER NO. 2 FOR
CONTRACT NO. 1, ANDY BOWIE PARK
DEVELOPMENT**

The Change Order follows:

ITEM NO. 12 -

**EXECUTION OF RESOLUTION PERTAINING TO
GRANT APPLICATION TO THE TEXAS FOREST
SERVICE TO SECURE GRANT ASSISTANCE FOR TREE
PLANTING PROGRAM**

The Resolution follows:

ITEM NO. 16 - ANNUAL BIDS

a) Typewriter Maintenance

DAVIS OFFICE SYSTEMS, Harlingen, Texas

\$35.00 mechanical
\$40.00 electronic

b) Pest Control

ESPARZA PEST CONTROL, Brownsville, Texas

\$7,210.00 per year for all locations

c) Computer Supplies - Printer Ribbons

COOK OFFICE MACHINES, McAllen, Texas

d) Recycled Paper and Envelopes

JOYCE OFFICE PRODUCTS, Brownsville, Texas

CATEGORY A - Recyclable Bond:

8 1/2 x 11	\$4,276.00
8 1/2 x 14	\$6,238.00
Cotton 8 1/2 x 11	\$1,423.00

CATEGORY D - Non-Recyclable Paper:

9 1/2 x 11	
(3 part)	\$ 316.03
9 1/2 x 3 2/3	
(4 part)	*****NO BID*****
9 1/2 x 5 1/2	
(3 part)	\$1,143.00

CATEGORY E - Non-Recycled Index:

8 X 10	\$ 711.60
8 X 12	\$ 184.80
8 1/2 X 11	\$ 177.90
8 1/2 X 14	\$ 112.50

CATEGORY F - NCR Paper Category:

8 1/2 x 11	
(6 part)	\$ 739.20

BUTLER PAPER, Corpus Christi, Texas

CATEGORY B - Recyclable Envelopes:

No. 10 Litho	\$2,555.00
No. 10 Litho Window	\$ 916.00
Manila 6 1/2 x 9 1/2	\$ 240.00

CATEGORY C - Recyclable Computer Paper:

14 7/8 x 8 1/2	
(1 part)	\$5,892.80
14 7/8 x 11	
(1 part-green bar)	\$ 93.96
14 7/8 x 11	
(1 part-white)	\$ 69.70
9 1/2 x 11	
(1 part)	\$3,256.80
14 7/8 x 8 1/2	
(2 part)	\$1,225.60
14 7/8 x 8 1/2	
(3 part)	\$1,170.00
9 1/2 x 11	
(3 part)	\$ 118.90

GULFCOAST PAPER, Brownsville, Texas

CATEGORY F - NCR Paper Category:

8 1/2 x 11 (2 part)	\$ 539.00
8 1/2 x 14 (2 part)	\$ 686.50
8 1/2 x 11 (3 part)	\$1,213.00
8 1/2 x 14 (3 part)	\$ 773.00
8 1/2 x 11 (4 part)	\$1,308.00
8 1/2 x 14 (4 part)	\$ 826.50

ITEM NO. 18 AUTHORIZATION TO TRAVEL/OR APPROVAL OF TRAVEL EXPENSES, SUBJECT TO AVAILABLE FUNDS IN BUDGETS

- a) **Parks Director to attend "Wildlife Planning for Tourism Workshop" in Corpus Christi, Texas, on November 10-11, 1993;**
- b) **Engineer-In-Training to attend "Flood Plain Management Workshop" in Kingsville, Texas, on November 16, 1993; and**
- c) **Commissioner Matz to attend "Keep Texas Beautiful Illegal Dumping" and Board Meeting in Austin, Texas, on November 4-5, 1993.**

(19) EXECUTIVE SESSION

Upon motion by Commissioner Matz, seconded by Commissioner Valencia and carried unanimously, the Court met in Executive Session at 2:00 P. M. to discuss the following matter:

- a) Discussion regarding contemplated or potential litigation with respect to Cameron County International Bridge System, pursuant to Section 2(e) of Article 6252-17 (of the Texas Revised Civil Statutes);

Judge Garza explained that at the time that the Agenda was posted at 3:47 P. M. on October 22, 1993, the intention was to discuss the pending investigation with respect to the Cameron County International Bridge System and that subsequently, a lawsuit, styled any number of employees versus Cameron County, was filed, and added that both matters would be discussed in Executive Session.

Upon motion by Commissioner Matz, seconded by Commissioner Valencia and carried unanimously, the Court reconvened in Regular Session at 3:45 P.M.

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(20) ACTION RELATIVE TO EXECUTIVE SESSION

- a) Action regarding discussion on contemplated or potential litigation with respect to Cameron County International Bridge System.

Judge Garza reported that, as previously stated, the Executive Session discussion included the status of the current investigation with respect to the International Bridge System and the now pending litigation, styled Nicho Galvan, et. al. versus Cameron County, et. al., and called on the District Attorney for a Report.

At this time, Mr. Luis Saenz, District Attorney, recommended that the Item be placed on the next Agenda for further discussion.

Judge Garza noted that on the recommendation of the District Attorney, as well as the consensus of the Court as determined by polling, the Item would be placed on the Agenda one (1) week hence for additional discussion and, hopefully, some decision at that time.

Upon motion by Commissioner Valencia, seconded by Commissioner Rosenbaum and carried unanimously, the matter concerning the contemplated or potential litigation with respect to the Cameron County International Bridge System would be placed on the Agenda one (1) week hence for further discussion.

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There being no further business to come before the Court, upon motion by Commissioner Matz, seconded by Commissioner Rosenbaum and carried unanimously, the meeting was adjourned.

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APPROVED this **2nd** day of **NOVEMBER**, 1993.

ANTONIO O. GARZA, JR.
COUNTY JUDGE

ATTEST:

JOE G. RIVERA,
COUNTY CLERK AND EX-OFFICIO CLERK
OF THE COMMISSIONERS' COURT OF
CAMERON COUNTY, TEXA